

08-28-06 PCT 4  
IAP6 Rec'd PCT/PTO 24 AUG 2006

PTO-1390 (Rev. 07-2005)

Approved for use through 03/31/2007. OMB 0651-0021  
U. S. Patent and Trademark Office; U. S. DEPARTMENT OF COMMERCE

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<b>TRANSMITTAL LETTER TO THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US) CONCERNING A SUBMISSION UNDER 35 U.S.C. 371</b>		ATTORNEY'S DOCKET NUMBER 47082-115USPX
INTERNATIONAL APPLICATION NO. PCT/US2005/003624	INTERNATIONAL FILING DATE February 4, 2005	U.S. APPLICATION NO. (if known; see 37 CFR 1.5) <b>107590838</b>
PRIORITY DATE CLAIMED February 6, 2004		
TITLE OF INVENTION <b>FLUID TESTING SENSOR HAVING VENTS FOR DIRECTING FLUID FLOW</b>		
APPLICANT(S) FOR DO/EO/US <b>Christina Blaschke, Daniel V. Brown and Sung-Kwon Jung</b>		
Applicant herewith submits to the United States Designated/Elected Office (DO/EO/US) the following items and other information:		
<p>1. <input checked="" type="checkbox"/> This is a <b>FIRST</b> submission of items concerning a submission under 35 U.S.C. 371.</p> <p>2. <input type="checkbox"/> This is a <b>SECOND</b> or <b>SUBSEQUENT</b> submission of items concerning a submission under 35 U.S.C. 371.</p> <p>3. <input type="checkbox"/> This is an express request to begin national examination procedures (35 U.S.C. 371(f)). The submission must include items (5), (6), (9) and (21) indicated below.</p> <p>4. <input type="checkbox"/> The US has been elected (Article 31).</p> <p>5. <input checked="" type="checkbox"/> A copy of the International Application as filed (35 U.S.C. 371 (c)(2))        a. <input type="checkbox"/> is attached hereto (required only if not communicated by the International Bureau).        b. <input type="checkbox"/> has been communicated by the International Bureau.        c. <input checked="" type="checkbox"/> is not required, as the application was filed in the United States Receiving Office (RO/US).</p> <p>6. <input type="checkbox"/> An English language translation of the International Application as filed (35 U.S.C. 371(c)(2)).        a. <input type="checkbox"/> is attached hereto.        b. <input type="checkbox"/> has been previously submitted under 35 U.S.C. 154(d)(4).</p> <p>7. <input checked="" type="checkbox"/> Amendments to the claims of the International Application under PCT Article 19 (35 U.S.C. 371(c)(3))        a. <input type="checkbox"/> are attached hereto (required only if not communicated by the International Bureau).        b. <input type="checkbox"/> have been communicated by the International Bureau.        c. <input type="checkbox"/> have not been made; however, the time limit for making such amendments has NOT expired.        d. <input checked="" type="checkbox"/> have not been made and will not be made.</p> <p>8. <input type="checkbox"/> An English language translation of the amendments to the claims under PCT Article 19 (35 U.S.C. 371(c)(3)).</p> <p>9. <input checked="" type="checkbox"/> An oath or declaration of the inventor(s) (35 U.S.C. 371(c)(4)).</p> <p>10. <input type="checkbox"/> An English language translation of the annexes of the International Preliminary Examination Report under PCT Article 36 (35 U.S.C. 371(c)(5)).</p>		
<p><b>Items 11 to 20 below concern document(s) or information included:</b></p> <p>11. <input type="checkbox"/> An Information Disclosure Statement under 37 CFR 1.97 and 1.98.</p> <p>12. <input type="checkbox"/> An assignment document for recording. A separate cover sheet in compliance with 37 CFR 3.28 and 3.31 is included.</p> <p>13. <input checked="" type="checkbox"/> A preliminary amendment.</p> <p>14. <input type="checkbox"/> An Application Data Sheet under 37 CFR 1.76.</p> <p>15. <input checked="" type="checkbox"/> A substitute specification.</p> <p>16. <input type="checkbox"/> A power of attorney and/or change of address letter.</p> <p>17. <input type="checkbox"/> A computer-readable form of the sequence listing in accordance with PCT Rule 13ter.2 and 37 CFR 1.821 – 1.825.</p> <p>18. <input type="checkbox"/> A second copy of the published International Application under 35 U.S.C. 154(d)(4).</p> <p>19. <input type="checkbox"/> A second copy of the English language translation of the international application under 35 U.S.C. 154(d)(4).</p>		

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b.  Please charge my Deposit Account No. \_\_\_\_\_ in the amount of \$ \_\_\_\_\_ to cover the above fees.  
A duplicate copy of this sheet is enclosed.

c.  The Commissioner is hereby authorized to charge any additional fees which may be required, or credit any overpayment to Deposit Account No. 100447. A duplicate copy of this sheet is enclosed.

d.  Fees are to be charged to a credit card. **WARNING:** Information on this form may become public. **Credit card information should not be included on this form.** Provide credit card information and authorization on PTO-2038

NOTE: Where an appropriate time limit under 37 CFR 1.495 has not been met, a petition to revive (37 CFR 1.137(a) or (b)) must be filed an granted to restore the International Application to pending status.

SEND ALL CORRESPONDENCE TO:

Bayer Healthcare LLC.  
P.O. Box 40  
Elkhart, IN 46515-0040

  
SIGNATURE

John C. Gatz

NAME

CUSTOMER NUMBER: 53651

41,774  
REGISTRATION NUMBER

10/590838  
IAP12 Rec'd PCT/PTO 24 AUG 2006

PTO/SB/21 (08-03)

Approved for use through 07/31/2006. OMB 0651-0031

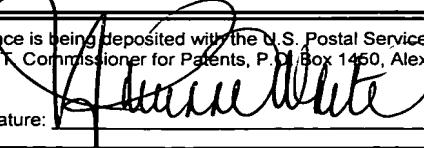
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<b>TRANSMITTAL FORM</b> <i>(to be used for all correspondence after initial filing)</i>		Application Number PCT/US2005/003624
		Filing Date February 4, 2005
		First Named Inventor Christina Blaschke et al.
		Art Unit N/A
		Examiner Name Not Yet Assigned
Total Number of Pages in This Submission		Attorney Docket Number 47082-115WO

<b>ENCLOSURES (Check all that apply)</b>		
<input checked="" type="checkbox"/> Fee Transmittal Form <input checked="" type="checkbox"/> Fee Attached <input type="checkbox"/> Amendment/Reply <input type="checkbox"/> After Final <input type="checkbox"/> Affidavits/declaration(s) <input type="checkbox"/> Extension of Time Request <input type="checkbox"/> Express Abandonment Request <input type="checkbox"/> Information Disclosure Statement <input type="checkbox"/> Certified Copy of Priority Document(s) <input type="checkbox"/> Response to Missing Parts/ Incomplete Application <input type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53	<input type="checkbox"/> Drawing(s) <input type="checkbox"/> Licensing-related Papers <input checked="" type="checkbox"/> Petition to Revive and petition fee <input type="checkbox"/> Petition to Convert to a Provisional Application <input type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address <input type="checkbox"/> Terminal Disclaimer <input type="checkbox"/> Request for Refund <input type="checkbox"/> CD, Number of CD(s) _____	<input type="checkbox"/> After Allowance Communication to Group <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences <input type="checkbox"/> Appeal Communication to Group (Appeal Notice, Brief, Reply Brief) <input type="checkbox"/> Proprietary Information <input type="checkbox"/> Status Letter <input checked="" type="checkbox"/> Other Enclosure(s) (please identify below): <div style="border: 1px solid black; padding: 5px; margin-top: 5px;">Transmittal Letter to the United States Designated/Elected Office Concerning a Filing Under 35 U.S.C. 371 (PTO FORM 1390), signed Oath/Declaration, filing fee check \$1,550.00</div>
Remarks		

<b>SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT</b>	
Firm or Individual name	JENKENS & GILCHRIST, A PROFESSIONAL CORPORATION John C. Gatz
Signature	
Date	August 24, 2006

<p>I hereby certify that this correspondence is being deposited with the U.S. Postal Service as Express Mail, Airbill No. EL 979699864US, in an envelope addressed to: MS PCT, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on the date shown below.</p> <p>Dated: August 24, 2006      Signature:  (Adrienne White)</p>		
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Application No. (if known):

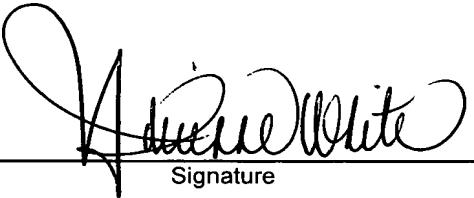
Attorney Docket No.: 47082-00115USPX

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Transmittal Form  
Petition for Revival of an International Application for Patent Designating the U.S. Abandoned Unintentionally Under 37 CFR 1.137(b)  
Check in the amount of \$1,500.00 for Petition fee  
Transmittal Letter to the United States Designated-Elected Office  
Preliminary Amendment  
Substitute Specification – Marked-Up Version  
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